

3. In making such an application, a plaintiff must state the facts concerning his or her poverty with some degree of particularity, definiteness or certainty. *United States ex rel. Roberts v. Pennsylvania*, 312 F. Supp. 1, 2 (E.D. Pa. 1969) (finding affiant's application legally insufficient where the application failed to state the facts of affiant's poverty with any degree of particularity,

definiteness or certainty) (citing *United States v. Coor*, 213 F. Supp. 955, 956 (D.D.C. 1963), *rev'd on other grounds*, 325 F.2d 1014 (D.C. Cir. 1963); *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir. 1960)).

4. In his Application, Plaintiff stated that he is currently employed and earns \$314.39 per month, that he receives temporary disability benefits, that he has approximately \$330.00 in cash or in a checking or savings account, that he and another individual jointly own a home worth approximately \$90,000.00, and that he pays \$362.00 per week in child support for three children.

IT IS THEREFORE on this 17th day of August, 2009,

ORDERED that Plaintiff's application to proceed *in forma pauperis* is GRANTED; and it is further

ORDERED that the Clerk shall file the Complaint; and it is further

ORDERED that the Clerk shall serve this Order upon Plaintiff by regular mail; and it is further

ORDERED that the Clerk issue summons and the United States Marshal serve a copy of the complaint, summons and this order upon the Defendants as directed by the plaintiff. All costs of service shall be advanced by the United States.

s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.